

Ralph H. Palumbo (WSBN 04751)
Lynn M. Engel (WSBN 21934)
SUMMIT LAW GROUP PLLC
315 Fifth Avenue South, Suite 1000
Seattle, Washington 98104-2682
Telephone: (206) 676-7000
Facsimile: (206) 676-7001
Email: ralphp@summitlaw.com
Email: lynne@summitlaw.com

Attorneys for Defendant FMC CORPORATION

Srecko Vidmar
HOLME ROBERTS & OWEN LLP
560 Mission St., Suite 2500
San Francisco, CA 94105-2994
Telephone: (415) 268-2000
Facsimile: (415) 268-1999
Email: lucky.vidmar@hro.com

*Attorneys for Plaintiffs ORACLE USA, INC.
and ORACLE INTERNATIONAL CORPORATION*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE USA, INC. a Colorado corporation and
ORACLE INTERNATIONAL CORPORATION, a
California corporation,

Plaintiffs,

v.

FMC CORPORATION, a Delaware corporation,

Defendant.

Case No.: CV 07-00663 (MJJ)

**SUPPLEMENTAL CASE
MANAGEMENT STATEMENT
AND ~~[PROPOSED]~~ ORDER**

Honorable Martin J. Jenkins

Pursuant to Civil L.R. 16-10(d), the parties to the above-entitled action certify that they met and conferred at least 10 days prior to the subsequent case management conference scheduled in this case and jointly submit this Supplemental Case Management Statement and Proposed Order and request the Court to adopt it as a Supplemental Case Management Order in this case.

DESCRIPTION OF SUBSEQUENT CASE DEVELOPMENTS

1. The following progress or changes have occurred since the last case management statement filed by the parties:

Plaintiffs and Defendant have participated in voluntary efforts to perform an audit in order to determine Defendant's compliance with the terms of Plaintiffs' software licenses. Plaintiffs believe that additional activities will be necessary to complete the audit.

2. The parties request the Court to make the following Supplemental Case Management Order:

If the parties are unable to settle the case by August 31, 2007, the Court will require the parties to participate in a Settlement Conference with a Magistrate Judge, or a Mediation with a mediator appointed by the Court. The parties will be required to complete the mediation by no later than October 1, 2007.

DATED this 7th day of August, 2007.

SUMMIT LAW GROUP PLLC

HOLME ROBERTS & OWEN LLP

By: /s/ Ralph H. Palumbo
Ralph H. Palumbo
Lynn M. Engel
ralphp@summitlaw.com
lynne@summitlaw.com

By: /s/ Srecko Vidmar
Srecko Vidmar
lucky.vidmar@hro.com

*Attorneys for Defendant
FMC CORPORATION*

*Attorneys for Plaintiffs ORACLE USA, INC.
and ORACLE INTERNATIONAL CORP.*

SUPPLEMENTAL CASE MANAGEMENT ORDER

The Supplemental Case Management Statement and Proposed Order is hereby adopted by the Court as a Supplemental Case Management Order for the case and the parties are ordered to comply with this Order.

DATED: 8/8/07



THE HONORABLE MARTIN J. JENKINS
UNITED STATES DISTRICT COURT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on this day I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to counsel of record listed below.

Srecko Vidmar
HOLME ROBERTS & OWEN LLP
lucky.vidmar@hro.com

John V. Wadsworth
ORACLE CORPORATION
john.wadsworth@oracle.com

I also hereby certify that I will mail on August 8, 2007 the foregoing document via United States Postal Service to the following non-CM/ECF counsel:

Dorian Daley
Oracle Corporation
500 Oracle Parkway, MS 50P7
Redwood City, CA 94065

*Attorneys for Plaintiffs ORACLE USA, INC.
and ORACLE INTERNATIONAL CORPORATION*

Dated this 7th day of August, 2007.


Cheryl A. McCrum